

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the  
District of Delaware

VANDA PHARMACEUTICALS INC.

\_\_\_\_\_  
*Plaintiff(s)*

v.

MSN PHARMACEUTICALS INC. AND MSN  
LABORATORIES PRIVATE LIMITED

\_\_\_\_\_  
*Defendant(s)*

Civil Action No. 20 - 318

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* MSN LABORATORIES PRIVATE LIMITED  
c/o Kevin E. Warner  
Winston & Strawn LLP  
35 W. Wacker Drive  
Chicago, IL 60601

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

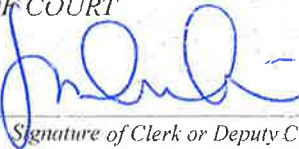
Karen Jacobs  
MORRIS, NICHOLS, ARSHT & TUNNELL LLP  
1201 North Market Street  
P.O. Box 1347  
Wilmington, DE 19899

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

MAR 03 2020

Date: \_\_\_\_\_

CLERK OF COURT

  
\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

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Civil Action No. 20-318

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* MSN Laboratories Private Limited  
 was received by me on *(date)* 03/04/2020.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☒ I served the summons on *(name of individual)* Kevin Warner, Esquire via electronic mail \_\_\_\_\_, who is  
 authorized ~~designated~~ by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
MSN Laboratories Private Limited on *(date)* 03/04/2020; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 03/04/2020



*Server's signature*

Denise Stitik - IP Litigation Paralegal

*Printed name and title*

Morris, Nichols, Arsht & Tunnell LLP  
1201 N. Market Street  
Wilmington, DE 19801

*Server's address*

Additional information regarding attempted service, etc: